

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

BRIDGEPORT MUSIC INC.)	
)	
Plaintiff,)	No. 3:05-0377
)	
v.)	Judge Campbell
)	Magistrate Judge Brown
ROBERT HILL MUSIC, et al.)	JURY DEMAND
)	
)	
Defendants.)	

MOTION FOR SUMMARY JUDGMENT BY DEFENDANT ROBERT HILL MUSIC

Pursuant to Rule 56 of the Federal Rules of Civil Procedure, Defendant Robert Hill Music (“RHM”) moves for summary judgment on all claims by Plaintiff Bridgeport Music Inc. (“Bridgeport”) on the following grounds:

- (1) Bridgeport’s inexcusable delay in bringing its claims in this matter precludes them from advancing those claims in this litigation under the doctrine of laches;
- (2) The Court should bar all claims by Bridgeport against RHM for any claims accruing prior to May 12, 2002, the applicable statute of limitations period in this matter, as previously determined by the Court on December 14, 2006 (Docket No. 199) in adopting the Magistrate Judge’s November 17, 2006 Report and Recommendation (Docket No. 177).
- (3) Bridgeport’s claims should be dismissed to the extent such claims arise from the alleged exploitation of *I Know You Got Soul* outside the United States;
- (4) Any recovery by Bridgeport should be limited, as a matter of law, to 75% of any damages or profits attributable to the alleged infringement, in light of Bridgeport’s admissions that 25% of the work is owned by Michael Williams, who is not a plaintiff in this action and has never transferred any of his rights to Bridgeport; and

RHM submits in support of its motion a memorandum of law, a statement of undisputed, material facts, the Declaration of Chris Vlahos and supporting exhibits, the Declaration of Robert Hill and supporting exhibits and the Declaration of Marc Mayer and supporting exhibits.

Submitted by:

s/ Chris Vlahos

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was made upon the following Filing Users through the Electronic Filing System:

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This the 3rd day of July, 2008.

s/ Chris Vlahos